

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

BENJAMIN P. TOLKOFF (NYB 4294443)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7296
Facsimile: (415) 436-7234
Benjamin.Tolkoff@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR 09-0373 (SI)
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER FED. R. CRIM.
v.)	18 U.S.C. § 3161
)	
REFUGIO SANDOVAL DELGADILLO,)	
a/k/a Miguel Delgadillo Sandoval,)	
a/k/a Luis Manuel Lopez Sandoval,)	
a/k/a Mario Lopez Rodrigues, and)	
a/k/a Miguel Angel Lopez,)	
)	
Defendant.)	
_____)	

On May 11, 2009, the parties in this case appeared before the Court for a status conference. At that time, the parties requested, and the Court agreed, to continue this matter for a status conference, and possible change of plea and sentencing, on June 26, 2009. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension.

1 The defendant also agrees to exclude for this period of time any time limits applicable
 2 under 18 U.S.C. § 3161. The parties represented that granting the continuance was the
 3 reasonable time necessary for defense counsel's effective preparation. 18 U.S.C. §
 4 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such a
 5 continuance outweighed the best interests of the public and the defendant in a speedy trial. 18
 6 U.S.C. § 3161(h)(7)(A).

7 SO STIPULATED:

8
 9 JOSEPH P. RUSSONIELLO
 United States Attorney

10
 11 DATED: May 11, 2009

/s/
 12 BENJAMIN P. TOLKOFF
 Assistant United States Attorney


13
 14 DATED: May 11, 2009

/s/
 15 LOREN G. STEWART
 Attorney for REFUGIO SANDOVAL-DELGADILLO

16 For the reasons stated above, the Court finds that the continuation of this matter from May
 17 11, 2009, to June 26, 2009, is warranted and that the ends of justice served by the continuance
 18 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161
 19 (h)(7)(A). The failure to grant the requested continuance would deny the defendant effective
 20 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C.
 21 §3161(h)(7)(B)(iv).

22
 23 SO ORDERED.

24
 25 DATED: _____


 26 THE HONORABLE SUSAN ILLSTON
 United States District Court Judge